

"kind and price," and to strike out, in lines 20 and 21, page 6, the words, "which report shall be accompanied by," and insert in lieu thereof the words, "and the amount of," and to strike out in lines 25 and 26, page 6, the words, "transmit the cash as required by this section" and insert in lieu thereof the words, "and pay over the money received from the sale of the books under this act," and to strike out the word "transmitted" in line 29, page 6, and insert in lieu thereof the words, "paid over to the party entitled thereto."

Senator Frank called for a division of the amendment.

The first division of the amendment was adopted.

The second division was adopted.

The third division was lost.

Senator Sims moved to reconsider.

Adopted.

The third division was adopted.

The fourth division was lost.

Senator Page moved to reconsider, which was adopted by the following vote:

YEAS—19.

Clark,	Kearby,	Seale,
Clemens,	Kimbrough,	Sims,
Crane,	Lubbock,	Townsend,
Cranford,	Maetze,	Tyler,
Garwood,	McKinney,	Weisiger,
	Page,	Whatley.
Ingram,		

NAYS—6.

Finch,	Glasscock,	Simkins,
Frank,	Potter,	Stephens,

The fourth division of the amendment was adopted.

The fifth division was adopted.

Section 10 as amended was adopted.

Senator Garwood moved to adjourn to 10 a. m. to-morrow.

Senator Potter moved to adjourn to 2:30 this afternoon.

Senator Garwood's motion prevailed.

THIRTY-FIRST DAY.

SENATE CHAMBER, }
AUSTIN, February 18, 1891. }

Senate met pursuant to adjournment.

Lieutenant Governor Pendleton in the chair.

Roll called.

Quorum present.

The following senators answering to their names:

Atlee,
Carter,
Clark,
Clemens,
Crane,
Cranford,
Finch,
Frank,
Garwood,

PRESENT—27.

Glasscock,	Pope,
Harrison,	Potter,
Ingram,	Seale,
Kearby,	Simkins,
Kimbrough,	Sims,
Lubbock,	Stephens,
Maetze,	Tyler,
McKinney,	Weisiger,
Page,	Whatley.

ABSENT—None.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the journal, on motion of Senator Tyler the further reading of the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Glasscock (by request):

Memorial and protest against the passage of the new Austin city charter by certain citizens of Austin.

Read first time and referred to committee on Incorporated Cities and Towns.

By Senator Glasscock (by request):

Petition and protest of citizens of Galveston in relation proposed amendment to the city charter.

Read first time and referred to committee on Incorporated Cities and Towns.

By Senator Tyler:

Petition for the repeal of the Sunday law.

Read first time and referred to committee on State Affairs.

By Senator Maetze (by request):

Petition for the repeal of the Sunday law from Bellville, fifty-three names.

Read first time and referred to committee on State Affairs.

COMMITTEE REPORTS.

Senator Potter offered the following majority and minority reports from the conference committee appointed yesterday:

MAJORITY REPORT.

CONFERENCE COMMITTEE ROOM,
Austin, February 17, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Conference committee appointed to consider the differences between the two Houses on Senate bill No. 10, have had the same under consideration, and beg leave to report that we have unanimously agreed upon such differences and report said bill, with the amendment, back and

ask that the House amendments be concurred in, with the following amendments to the same:

Strike out the word "one" in last line of the first House amendment and insert "two."

2. Strike out of the House second amendment the words "ninety days" and insert "six months."

Further, strike out of said amendment the words "to the nearest or any other convenient local agent of the company requiring the same," and insert "to the person, firm, association or corporation requiring the same, or to any officer or agent of either."

We agree to the third House amendment, and further amend the caption by striking out the words "to less than the period fixed by law" and insert "to not less than two years."

POTTER,
TYLER,
TOWNSEND,
Senate Conference Committee.
MCKINNEY,
BROWN.

Adopted.

MINORITY REPORT.

CONFERENCE COMMITTEE ROOM,
Austin, February 18, 1891.

The undersigned one of the committees appointed to confer with the Senate committees and to consider the House amendments to Senate bill No. 10 begs House to report that he does not concur in the report of the majority of the committee as he was not present at the meeting of the committee and was not consulted concerning said report and had no means of expressing dissenting views on the subject matter.

Respectfully submitted,
HAMBLEN,
Of Committee of the House.

The following message was received from the House of Representatives:
Austin, February 18, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed House bill No. 242, being "An act to authorize the transfer of the Confederate Home at Austin from private to State management, and to establish said Home as a State institution, and to provide for its support," under suspension of the constitutional

S J—14

rule and by a two-thirds vote, to-wit.
Yeas 78, nays 16, Respectfully,
GEO. W. FINGER,

Acting Chief Clerk House Representatives.

Senator Atlee made the following report:

COMMITTEE ROOM,
Austin, February 18, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Judicial Districts, to whom was referred

Senate bill No. 269, being "An act to reorganize the Thirtieth judicial district and to fix the time for holding courts therein,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass, with the accompanying amendments.

ATLEE, Acting Chairman.

Senator Pope made the following reports:

COMMITTEE ROOM,
Austin, February 18, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. , being "An act to amend section 1 of an act entitled 'An act to amend article 2899 of the revised civil statutes of the State of Texas in relation to the recovery of damages for injuries resulting in death,' passed by the Twentieth legislature, approved March 25, 1887,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

COMMITTEE ROOM,
Austin, February 17, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 273, being "An act to protect buffalo, deer and antelope in this state from wanton destruction,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

COMMITTEE ROOM,

Austin, February 17, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 190, being "An act to regulate the fees of county clerks in all counties in the state of Texas having a taxable value of \$10,000,000 or over,"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass with the following amendment:

"Amend so as to make the compensation of the county clerks at not less than \$2500 nor more than \$3500."

POPE, Chairman.

Bill read first time with amendment.

COMMITTEE ROOM,

Austin, February 17, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 171, entitled "An act to regulate tenders and to authorize offers to confess judgments in suits filed,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POPE, Chairman.

Bill read first time.

COMMITTEE ROOM,

Austin, February 17, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 114, being "An act to amend section 17 of an act to provide for the speedy enforcements of the liens of mechanics, contractors, subcontractors, builders, laborers and material men, and to repeal all existing laws and parts of laws in conflict with the provisions of this act," approved April 5, 1889,

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

Bill read first time.

COMMITTEE ROOM,

Austin, February 17, 1891.

Hon. George C. Pendleton, President

of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 205, being "An act to regulate actions for libel"

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass. To be considered together with Senate bill No. 39. Amend by striking out all after the word "part" in section 2."

POPE, Chairman.

Bill read first time.

COMMITTEE ROOM,

Austin, February 17, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 39, being "An act to regulate actions for libel,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it be considered together with Senate bill 205, said committee favoring the bill,

POPE, Chairman.

Bill read first time.

COMMITTEE ROOM,

Austin, February 17, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Judiciary No. 1, to whom was referred

House bill No. 121 being "An act to amend article 222, title 10, of the Revised Civil Statutes, by adding thereto article 222a, relating to the granting of license graduates of the law department of the university of Texas."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

POPE, Chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

By Senator Carter:

A bill to be entitled "An act to provide for an additional permanent fund for the University of the State of Texas, including the main university and all of its other branches by the issue of interest bearing bonds to be appropriated to said fund, and to provide for the refunding to the State the principal and interest of said bonds by the disposition by sale or lease of

the bonds that belong to said fund.

Read first time and referred to committee on Finance.

By Senator Page:

A bill to be entitled "An act to amend article 344, chapter 2, title 17. Revised Civil Statutes of the State of Texas."

Read first time and referred to committee on Incorporated Cities and Towns.

By Senator Tyler:

A bill to be entitled "An act to validate the sale of section 82, block H, State school lands situated in Hardeman county, located by virtue of certificate No. 141, issued to the W. & N. W. Railroad company, made by the State land board to P. E. Holmes on May 28, 1885, under act of April 12, 1883, and to authorize patent to issue therefor in favor of heirs of L. H. Davis, as assignee, upon payment of balance due the State on said sale.

Read first time and referred to committee on Private Land Claims.

By Senator Carter:

A bill to be entitled "An act to amend article 4470, chapter 2, title 88, of the revised civil statutes of the State of Texas, increasing the salary of district judges."

Bill read first time and referred to Judiciary committee, No. 2.

By Senator Tyler:

A bill to be entitled "An act to provide for the purchase by the State of the oil painting known as 'The Log Cabin History of Texas,' painted by Prof. A. A. McArdle, and to make an appropriation therefor."

Read first time and referred to committee on State Affairs.

By Senator Kimbrough:

A bill to be entitled "An act for the relief of N. H. O. Polly, by reimbursing him for losses sustained by reason of Indian depredations in the years 1858, 1859 and 1860, and making an appropriation therefor."

Read first time and referred to committee on Claims and Accounts.

The following message was received by the House of Representatives:

HALL OF THE HOUSE OF REPRESENTATIVES, AUSTIN, Tex.,
February 18, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—I am instructed by the House to make you the following report:

Committee to visit the penitentiaries—Messrs. Lloyd, Clegg and Doggett.

Committee to visit reformatory at Gatesville—Messrs. Perry and Brietz.

Committee to visit the asylums of the State—Messrs. Oliver, Erskine and Truit.

The House insists on its amendments to Senate bill No. 10, and has appointed a Conference committee—Messrs. McKinney, Brown and Hamblen.

That the House concur in Senate amendments to House bill No. 139, "An act to diminish the civil and criminal jurisdiction of the county courts of Irion, Roberts, Ochiltree and Hansford counties."

Also to Senate amendments to House bill No. 290, "An act making appropriations for estimated deficiencies in the appropriations for the support of the state government: from March 1, 1889, to Feb. 28, 1891," also the passage of the following bill

House bill No. 387, "An act to restore to and confer upon the county courts of Marion and McCulloch counties the civil and criminal jurisdiction heretofore belonging to said counties under the constitution and general statutes of the state, and to conform the jurisdiction of the district courts of said counties to such change.

Respectfully,

GEO. W. FINGER,
Acting Chief Clerk.

ORDER OF THE DAY.

Senate bill No. 2, a bill to be entitled "An act to empower the State board of education to procure for use in the common schools in the State of Texas a series of text books, defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain felonies and misdemeanors, providing penalties for the violation of the provisions of this act, and declaring an emergency."

On second reading.

Question recurring to the adoption of section 11 was considered and adopted

Section 12, considered and adopted.

Section 13, read and considered.

Senator Frank offered the following substitute:

Substitute for section 13. Strike out section 13 and substitute the following:

Section 13. The Board of Education shall, before it makes a selection of a uniform series of text books as provided for in this act, call upon each County Superintendent, where there is one, and where there is no County Superintendent, then upon the judge of any such county having no superin-

dent, to call a meeting of the teachers and trustees of their respective counties, for the purpose of selecting a uniform series of text books, and submit such selections so made to said Board of Education within thirty days from such calls, and from the selection made by the various counties as above provided and submitted to said Board of Education, said Board shall select a uniform series of text books for the State.

On motion of Senator Seale, Senator Townsend was excused for today on account of important business.

Senator Page offered the following amendment:

"Amend by adding the substitute offered by the senator from Erath for section 3 to the end of section 13."

Withdrawn.

Senator Page offered the following amendment:

Amend by adding to the end of section 13 the following:

"Before making a selection the state board of education shall, as far as practicable, ascertain what books are most generally in use in the state schools."

Adopted.

Question recurring to the substitute offered by Senator Frank.

A division of the substitute was called for.

Senator Cranford made the point of order that a motion to strike out and insert was not divisible, which was sustained by the chair.

The substitute was lost.

Senator Stephens offered the following amendment:

Amend by striking out section 13.

Lost.

Senator Crane offered the following amendment:

Amend section 13 by striking out all after the word "education" in line 17, and the word "select" in line 18 thereof and insert in lieu thereof the word "shall."

Which was lost by the following vote:

YEAS—9.

Atlee,	Frank,	Lubbock,
Clark,	Harrison,	Maetze,
Crane,	Kimbrough,	Tyler,

NAYS—17.

Clemens,	Kearby,	Simkins,
Cranford,	McKinney,	Sims,
Finch,	Page,	Stephens,
Garwood,	Pope,	Weisiger,
Glasscock,	Potter,	Whatley,
Ingram,	Seale,	

Section 13 was adopted as amended.

Section 14 read and considered.

Senator Stephens offered the follow-

ing amendment:

"Strike out section 14."

Lost.

Section 14 was adopted.

Section 15 considered and adopted.

Senator Tyler moved to reconsider the vote by which the amendment of Senator Stephens to strike out section 13 was last.

The motion prevailed by the following vote:

YEAS—13.

Finch,	Maetze,	Sims,
Garwood,	Pope,	Stephens,
Harrison,	Potter,	Tyler,
Lubbock,	Simkins,	Weisiger,
		Whatley,

NAYS—12.

Atlee,	Cranford,	Kimbrough,
Clark,	Frank,	McKinney,
Clemens,	Glasscock,	Page,
Crane,	Kearby,	Seale,

Senator Sims offered the following amendment:

Amend by striking out all after the word "shall" in line 22, down to the word "choose" in line 23.

Lost.

The amendment of Senator Stephens to strike out section 13 was adopted by the following vote:

YEAS—15.

Clemens,	Maetze,	Simkins,
Finch,	Page,	Sims,
Garwood,	Pope,	Stephens,
Harrison,	Potter,	Weisiger,
Lubbock,	Seale,	Whatley,

NAYS—10.

Atlee,	Glasscock,	Kimbrough,
Clark,	Ingram,	McKinney,
Crane,	Kearby,	Tyler,
Frank,		

Senator Seale moved to reconsider the vote by which section 14 was adopted, which prevailed by the following vote:

YEAS—18.

Atlee,	Ingram,	Simkins,
Cranford,	Kimbrough,	Sims,
Finch,	Lubbock,	Stephens,
Garwood,	Page,	Tyler,
Harrison,	Potter,	Weisiger,
	Seale,	Whatley,

NAYS—8.

Clark,	Frank,	Maetze,
Clemens,	Glasscock,	McKinney,
Crane,	Kearby,	

Senator Tyler moved to reconsider the vote by which Senator Stephens motion to strike out section 14 was lost, which was adopted.

Senator Glasscock offered the following amendment:

Amend section 14 by striking out all of section 14 from line twenty-five down to the word "it" in line twenty-seven.

Lost.

The amendment of Senator Stephens to strike out section 14 was adopted by the following vote:

YEAS—22.

Atlee,
Clark,
Clem ns,
Crane,
Finch,
Frank,
Garwood,
Harrison,

Ingram,
Kearby,
Lubbock,
Maetze,
Page,
Pope,
Potter,

Seale,
Simkins.
Sims,
Stephens,
Tyler,
Weisiger,
Whatley.

NAYS—3.

Glasscock,

Kimbrough,

McKinney,

Senator Frank moved that the sections be numbered to correspond with the changes made.

Adopted.

Section 18 considered and adopted.

Senator Crane offered the following amendment:

Amend by inserting the following sections:

Section 15. The provisions of this act shall not apply to any town, city, district or community which has heretofore selected a series of text books, or may hereafter, within six months after the passage of this act, select a series of text books for their respective schools.

Section 16. It shall be the duty of all trustees of the several cities, towns, districts and communities who may wish to avoid the operation of this act and who have not heretofore selected a series of text books for use in their respective schools, to meet at some date fixed by them within six months after the passage of this act, and then, with such assistance as they may choose, select a series of text books for the use of their several schools, requiring the publishers of said books so selected, to furnish same to the patrons of said school through the medium of local dealers at such prices as may be deemed by said trustees fair and just.

Section 17. After having selected a series of text books as provided for in the preceding section, the books so selected shall not be changed, either in whole or in part, within less than three years after same have been so selected, unless said change be determined and made by a majority of the patrons of such school in which the change is sought to be made.

Section . Any trustee or teacher who shall change or cause to be changed any of the text books selected as provided for in the preceding section without the consent of the patrons of said school, obtained at an election held for that purpose, notice of which must be given as that of other elections held for school purposes, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction, shall be fined in any sum not less than one hundred

dollars nor more than five hundred dollars.

Senator Simkins made the point of order that the amendment was out of order, because all the subject matter has already been acted upon by the Senate and voted down, which was overruled by the chair.

Senator Garwood made the point of order that the amendment offered by the Senate from Johnson is unfriendly to the bill and hence an amendment to perfect should take precedence, which was overruled by the chair.

(Senator Potter in the chair.)

Senator Garwood moved to lay the amendment of Senator Crane upon the table subject to call pending an amendment to perfect the bill.

Adopted.

Senator Garwood offered the following amendment:

Amend by striking out sections 6, 7, 8, 9, 10, 11 and 12 and inserting as follows:

Section 6. The party with whom such contract has been made shall establish and maintain in some city in this state to be designated by the board of education a depository where a stock of their books sufficient to supply all immediate demands shall be kept. It shall also establish and maintain one or more agencies in every county in the state, one of which shall be at the county seat.

At such agencies, books shall be sold at the retail contract prices. Such party shall print on the outside cover of each book the retail contract price, together with the following notice: "The price fixed hereon is fixed by State contract. Any deviation should be reported to the State superintendent of public instruction at Austin."

Section 7. As soon as may be practicable after the adoption provided for in this act, the State superintendent of public instruction shall address a circular letter to all the public free school trustees of this State, which letter shall contain a list of the books adopted, the name and Texas headquarters of the publisher, the prices, method of distribution and such other information as he may deem necessary to enable trustees to take advantage of this act.

Section 8. The board of education may from time to time make necessary regulations, not contrary to the provisions of this act, to secure the prompt distribution of the books herein provided for.

Section 9. After September 1,

1891, the books adopted by the board of education as a uniform series of text books for this State, shall be introduced and used as text books to the exclusion of all others, in the public free schools, and should any school, community, district, city, town or village refuse to introduce and use such books as text books, it shall not draw any funds from the State for the purpose of maintaining such school, or the schools in such community, district, city, town or village.

The county superintendent or county judge is hereby required to report to the State superintendent of public instruction any school that may not comply with the provisions of this act, and the county superintendent and county judge shall not approve, nor shall the county treasurer pay any voucher to any teacher, or for any purpose whatsoever, where the demands of this act are not complied with.

Section 10. Any teacher or trustee who shall violate the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten nor more than fifty dollars.

And number the remaining sections to conform with the change.

Senator Simkins moved that pending business be laid aside until tomorrow in order that the amendments may be printed in the Journal.

Adopted.

Senator Simkins moved to postpone pending business and take up out of its regular order.

Senate bill No. 143, entitled "An act to amend sections 5 and 10 of section 8, article 7 of chapter 25, special session of the Eighteenth Legislature and to repeal so much of chapter 3, title 78, of the revised statutes of Texas as refer to public schools outside of incorporated towns and cities."

On second reading adopted.

By consent Senator Tyler made the following report:

COMMITTEE ROOM.

Austin, February 14, 1891.

Hon. Geo. C. Pendleton, President of the Senate.

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 234, being "An act to provide for the payment of checks or other evidence of indebtedness issued by persons, firms or corporations for labor performed, in money when due,"

Have had the same under consider-

ation, and I am instructed to report the same back to the Senate with the accompanying Substitute bill to be entitled "An act to provide for the payment of wages of operatives and laborers at regular intervals in lawful money of the United States and to provide penalties for violation of same," and we recommend that said Substitute bill do pass.

All of which is respectfully submitted.

TYLER, Chairman.

Substitute read first time.

(The President in the chair.)

By consent Senator Harrison introduced the following bill, to be entitled "An act to amend an act to incorporate the city of Waco, and to define its boundaries and powers, approved February 19th, 1889 "

Read first time and referred to committee on Incorporated Cities and Towns.

Senator Frank offered the following amendment to Senate bill No. 143:

Amend line 1, page 2, section 10, by striking out the word "seven" and insert the word "eight."

Senator Potter offered the following substitute:

Strike out "not less than 7 hours" and insert "for so many hours per day as the trustees may prescribe."

Senator Harrison offered the following amendment, which was read and ordered to lie on the table subject to call.

Amend by striking out all after the word "day" in line 2, page 2.

Senator Potter's substitute was adopted by the following vote:

YEAS—13.

Atlee,	McKinney,	Ste hens.
Cranford,	Page,	Tyler.
Kearby,	Potter,	Weisiger,
Lubbock,	Sims.	Whitley.
Maetze,		

NAYS—12.

Curter,	Finch,	Harrison.
Clark,	Frank,	Ingram,
Clemens,	Garwood,	Kimbrough,
Crane,	Glasscock,	Simkins,

The amendment of Senator Frank as substituted was lost by the following vote:

YEAS—12.

Cranford,	McKinney,	Stephens,
Finch,	Page,	Tyler,
Kearby,	Potter,	Weisiger,
Maetze,	Sims.	Whitley.

NAYS—15

Atlee,	Frank,	Kimbrough,
Carter,	Garwood,	Lubbock,
Clark,	Glasscock,	Seale,
Clemens,	Harrison,	Simkins.
Crane,	Ingram,	

Question recurring to the amendment of Senator Harrison it was adopted by the following vote:

YEAS—16.

Atlee,
Carter,
Clemens,
Cranford,
Finch,

Harrison,
Kearby,
Lubbock,
Page,
Pope,

Potter,
Simkins,
Stephens,
Weisiger,
Whatley,

NAYS—9.

Crane,
Frank,
Garwood,

Glasscock,
Ingram,
Kimbrough,

Maetze,
McKinney,

By consent Senator Pope introduced the following bills:

To be entitled "An act to define the term 'accident,' as used in accident insurance policies."

Read first time and referred to Judiciary committee No. 1.

And to be entitled "An act fixing the liabilities of banks and bankers, and providing for penalties for violations of the provisions of this act."

Read first time and referred to Judiciary committee No. 1.

Senator Simkins moved to reconsider the vote by which Senator Harrison's amendment was adopted, and asked that his motion be spread upon the Journal.

Senator Harrison called up the motion.

Senator Simkins moved to adjourn to 10 a. m. tomorrow.

House bill No. 242 entitled "An act to authorize the transfer of the Confederate Home at Austin from private to State management, and to establish said Home as a State institution and provide for its support."

Read first time and referred to committee on State Affairs.

Also House bill No. 387 entitled "An act to restore to, and confer upon, the county courts of Marion and McCulloch counties the civil jurisdiction heretofore belonging to said counties under the constitution and general statutes of the State, and to conform the jurisdiction of the district courts of said counties to such change, was

Read and referred to Judiciary committee No. 1.

Senator Potter moved to adjourn to 3 p. m. this day.

Senator Simkins' motion to adjourn to 10 a. m. tomorrow prevailed by the following vote:

YEAS—15.

Atlee,
Carter,
Clemens,
Crane,
Garwood,

Glasscock,
Ingram,
Kearby,
Kimbrough,
Lubbock,

Maetze,
Pope,
Seale,
Simkins,
Weisiger,

NAYS—11.

Cranford,
Finch,
Frank,
Harrison,

McKinney,
Page,
Potter,
Sims,

Stephens,
Tyler,
Whatley,

THIRTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, February 19, 1891. }

Senate met pursuant to adjournment.

Lieutenant Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—27.

Atlee,
Clark,
Clemens,
Crane,
Cranford,
Finch,
Frank,
Glasscock,

Harrison,
Ingram,
Johnson,
Kearby,
Kimbrough,
Lubbock,
Maetze,
McKinney,
Page,

Pope,
Potter,
Seale,
Simkins,
Sims,
Stephens,
Townsend,
Weisiger,
Whatley.

ABSENT—3.

Carter,

Garwood,

Tyler.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the journal, on motion of Senator Clemens the further reading of the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Stephens (by request):

Petition of citizens of Hardeman county protesting against the Browning validating bill, and that school lands be sold to actual settlers only.

Read first time and referred to committee on Public lands.

By Senator Stephens:

Memorial from Hardeman county, protesting against the validation of Mrs. Holmes' title to a section of school land.

Read first time and referred to committee on public lands.

By Senator Whatley:

Citizens of Marion, Cass and Bowie counties protesting against the passage of the fellow servant, or Wilson bill.

Read first time and referred to Judiciary committee No. 1.

By Senator Clemens:

Three separate petitions of citizens of Comal county, asking repeal of the Sunday law.

Read first time and referred to committee on State Affairs.

On motion of Senator Stephens the following amendments to Senate bill